

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,                     )  
   )  
                  Plaintiff,                         )  
   )  
                  v.                                 ) No. 4:11CR057 RWS NAB  
   )  
DELANO SMITH,                                 )  
   )  
                  Defendant.                     )

**ORDER AND SPEEDY TRIAL FINDING**

This matter is before the Court on Defendant's Motion to Continue the Motion Deadline [\[Doc. #517\]](#) filed on October 3, 2011. In support of the Motion Defendant stated:

1. This case has been declared a complex case.
2. Defense counsel has been provided with a tremendous amount of discovery and has yet to have ample time to review all of it in order to properly advise the defendant whether or not to file motions.

Defendant requested that the pretrial motion deadline previously set for October 3, 2011 be continued. For good cause shown,

**IT IS HEREBY ORDERED** that Defendant's Motion to Continue the Motion Deadline [\[Doc. #517\]](#) is **GRANTED**. Defendant shall have to and including **November 3, 2011** to file any pretrial motions or waiver of motions. The government shall have until **November 10, 2011** to respond.

**Speedy Trial Finding:** For the reasons set out in Defendant's motion, the Court finds that to deny Defendant's request for such additional time would deny counsel for Defendant the reasonable time necessary for effective investigation and preparation of pretrial motions, taking

into account the exercise of due diligence, and that the ends of justice served by granting Defendant's request for additional time outweigh the best interest of the public and Defendant in a speedy trial, and therefore, the time granted to Defendant to investigate and properly prepare pretrial motions, or a waiver thereof, is excluded from computation of Defendant's right to a speedy trial pursuant to 18 U.S.C. §§ 3161(c)(1) and 3161(h)(7).

/s/ Nannette A. Baker  
NANNETTE A. BAKER  
UNITED STATES MAGISTRATE JUDGE

Dated this 4<sup>th</sup> day of October, 2011.